

**Camden Select Board
Minutes of Meeting
May 4, 2010**

PRESENT: Chairperson Karen Grove, Vice Chairperson Deborah Dodge, John French, Anita Brosius-Scott, Morgan Laidlaw, Town Manager Roberta Smith, and Town Attorney William Kelly. Also present were members of the press and public.

Minutes of Meeting

1. Public input on non-agenda items:
 - a. Board member French announced that Fire Chief Chris Farley will be a performer in the Dancing with the Stars fundraiser for the Community School on Friday, May 8th.
 - b. Board member Brosius-Scott made a request to put on the next agenda a discussion about how the Board can help notify residents how to recycle at MCSWC as requested by resident Beedy Parker. The Board decided to pass the suggestions presented by Beedy Parker to the Board of Directors at MCSWC for their review and discussion.

2. **Deborah Dodge made a motion to approve the Select Board Meeting Minutes of April 6, 2010 with corrections. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.**

Moved ahead to #6

6. **Curtis Island Caretakers 2009 Report and final approval of the renewal Caretaker's Agreement.** Connie Conover, caretaker of Curtis Island, gave his yearly report on Curtis Island. Mr. Conover went over the island projects completed last summer:

The Board considered the edited renewal Caretaker's Agreement that was discussed in May 2009. The caretaker agreement is for the term of October 1, 2009 through October 31, 2010.

Deborah Dodge made a motion to approve the Curtis Island Caretaker's Agreement with Elliott Conover, Jr. and Dianne Conover for a three year term from October 1, 2009 through October 31, 2012.

Went back to order of agenda

3. **Review of the proposed Tannery marketing materials with Alan Hinsey of KWRED.** Alan Hinsey of KWRED was present and reported that the re-appraisal of the Tannery property is done and he is in the process of putting the marketing materials together and ready to begin launching the marketing campaign. He walked the Board through the outline he prepared regarding the direction the marketing campaign is going in. This process will take about a month to have in place. During the presentation he answered the Board's questions as they were raised in regard to the marketing campaign.

John French made a motion to approve the proposed Tannery marketing plans as presented and authorized the Town Manager to sign documents as needed. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

4. **Alan Hinsey, Executive Director of KWRED and the Select Board discussed the following;:**
 - a. **Update on KWRED activities:** Mr. Hinsey does not have an update tonight because he will give an update at KWRED's monthly meeting next Friday, May 14th at 9:00 am at Boston Financial Data Services in Rockland.
 - b. **Assessment of economic development district boundaries:** Mr. Hinsey shared a PowerPoint presentation describing the economic development district boundaries.
 - c. **Discussion of priority economic development initiatives or special projects.** KWRED would like a list of projects that Camden would like them to focus on over the next 12 months. The consensus of the Board was to have marketing the Tannery property first priority on the list of projects. Town Manager Smith suggested now that we know there are issues with the ownership and the lack of tenants for the Knox Mill properties and the buildings getting in worse and worse condition that perhaps the number one priority is to focus on not letting any other businesses that are here pick up and leave. The Board asked Mr. Hinsey to put the Tannery and Knox Mill properties both as number one priorities on the list of projects to focus on.
5. **Consideration of request of Pop Tech Conference to use the Village Green on Wednesday, October 20, 2010 through Sunday, October 24, 2010 for technology demonstrations in addition to an ice cream social scheduled for Friday, October 22, 2010 from 3:30 pm – 4:30 pm.**

Anita Brosius-Scott made a motion to approve the Village Green Use as proposed for Pop! Tech 2010. John French seconded this motion. The motion passed on a 5-0-0 vote.

(Item #6 - see page 1)

7. **Approval of the request of the CRL Chamber of Commerce to close Atlantic Avenue for their annual Spring and Fall Harbor Arts shows.** Manager Smith reported as outlined in the request from Alicia Bagnall of the Chamber, this is the annual request to close Atlantic Avenue July 17 & 18 and again on October 2 & 3 during the art shows.

John French made a motion to approve the closing of Atlantic Avenue as requested by the CRL Chamber. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.
8. **Confirmation of Camden Public Library Trustees.** Manager Smith reported the Trustees have appointed two new Trustees, Kristin Bifulco and Debbie Jordan, both of Camden. In addition they have approved a second term for Mary (Polly) Saltonstall.

John French made a motion to confirm the appointments to the Camden Public Library Board of Trustees. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.
9. **Consideration of street closures for the following:** The Board reviewed correspondence for details of the following requests. Manager Smith stated the Parks and Recreation Director and the Police Chief have reviewed and approved the road race.
 - a. **Bay View Street on Sunday, June 6, 2010 from 8 am to noon for the Peter Ott's 10K Mile Road Race.**

- b. Pleasant Street on Saturday, June 5, 2010 from 1pm to 4pm for a 30th Year Celebration and Reunion for The Children's House Montessori School.**

Anita Brosius-Scott made a motion to approve the road closures as listed above in a and b. John French seconded this motion. The motion passed on a 5-0-0 vote.

- 10. Consideration of FEMA/Assistance to Firefighter's Grant.** Chief Farley presented a detailed request to submit applications to the Department of Homeland Security's FY2010 Assistance to Firefighter's Grant program for a source capture vehicle exhaust extraction system in the apparatus bay at the Public Safety Building (estimated cost is \$55,000), and for the replacement and upgrade of the 16 sets of Firefighter personal protective equipment (estimated cost is \$40,000). Both grant proposals require a 5% local match. Manager Smith recommended the Town submit the grant applications and plan to cover the local match with FY11 operating funds, or if necessary, with Town contingency funds. A decision of the source of the local match funds can be made if the grant is approved later. The award will be towards the end of the FY11 fiscal year and the Board will have a better sense of what operating funds are available.

John French made a motion to approve submittal of the proposed Assistance to Firefighter's Grant Applications. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 11. Consideration of the request to withdraw funds from the Parks & Recreation Reserve and Snow Bowl Reserve:** Manager Smith reported she recommends approval of both requests as the use of the Reserve funds matches the Departments needs, the purpose of the funds and the Town's capital plan.

- a. Purchase of a 2010 John Deere riding lawn mower**

John French made a motion to award the bid for the mower to Chad Little John Deere in the amount of \$5,355.67, and to authorize the withdrawal of funds from the Park & Recreation Reserve to fund the purchase. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- b. Purchase of used pickup truck**

Morgan Laidlaw made a motion to authorize the use of up to \$8,000 of Reserve funds , one half from each the Snow Bowl Reserve and the Parks & Recreation Reserve, for the purchase of a used pickup truck. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 12. Consideration of the following Taxi Operator's License applications driving for Schooner Bay Limousine & Taxi, Inc.:** Chief Roberts reported he has approved the application of Donald Robishaw and has contacted Mr. Huntley to notify him that he would not be approving his application.

- a. Donald P. Robishaw, Jr. of Rockland, Maine**
- b. Mark E. Huntley of Spruce Head, Maine**

John French made a motion to approve the application of Donald Robishaw for a Taxicab Operator's license and deny the application of Mark Huntley. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

Chairperson Grove read the rules and regulations for conducting public hearings in preparation of the public hearings to be held this evening.

13. Public Hearings regarding the following renewal liquor license applications and special amusement permit:

- a. Application of Zachary Cohn and Seth Cohn, d/b/a Smokestack Grill at 43 Mechanic Street for a Class XI Restaurant/Lounge Liquor License serving Spirituous, Vinous and Malt beverages.**
- b. Application of Zachary Cohn, d/b/a Smokestack Grill at 43 Mechanic Street for a Special Amusement Permit**
- c. Michael Salmon and Mary Jo Brink, d/b/a Hartstone Inn at 41 Elm Street for a Class I Hotel Liquor License.**

Chairperson asked to hear from any proponents or opponents.

Attorney Chris MacLean was present representing Smokestack Grill at 43 Mechanic Street. One of the owners of Smokestack Grill, Zach Owen was also present to answer any questions raised by the Board.

Police Chief Roberts addressed the incidents reported by the Police Department since April 2009. The two noise complaints were outside of the business after they opened. There have been a few other problems but in his opinion does not feel the incidents reported are excessive compared to some he seen in other businesses in the past. He has discussed this with one of the owners and he is confident these things will be addressed.

Attorney MacLean stated Smokestack Grill wants to be a responsible business in town. The owners have been in touch with the Police Department and none of the incidents reported have received any criminal convictions.

Board members discussed in the past when there have been several incidents reported by the Police Department the Board has imposed a condition that all staff serving alcohol take the course on the laws regarding serving alcohol. This course use to be offered by the state but is now offered privately. They are very accommodating and will come here to make it easier for the staff of restaurants and bars to attend the training.

Attorney MacLean stated before imposing conditions on a re-issuance of licenses he would think that the Board would at least want some adjudication of wrong doing specifically laying out what the violations are before you start imposing conditions. These are allegations for which there are no names or information. The other establishments that you imposed these conditions for had far more serious violations than this. There were serious assaults which resulted in convictions in court for aggravated assault. The allegations that have been lodged over the years at other establishments are more of a magnitude far exceeding anything that is being talked about tonight.

Chief Roberts clarified that Attorney MacLean made some very valid points that these incidents are not convictions. He wanted to clarify that the town ordinance states in the special amusement ordinance he is suppose to report incidents of tumultuous conduct. The tumultuous conduct is defined in the town ordinance as anything that requires a police response. Everything on his report required a police response and that is why it is listed.

Attorney MacLean suggested if the Board is thinking about adding these stipulations then the town should amend the ordinance to say as a condition of any alcohol sales that all establishments serving alcohol need to comply with the alcohol server training. The Board is imposing conditions on a new business with a bar with two allegations that haven't even been substantiated.

Town Attorney Bill Kelly stated this type of hearing is based on the best judgment of the Police Chief to describe what has occurred in terms of what has been reported. It's a little disingenuous for an attorney to say based on what evidence when the process really hasn't leant itself to that. This is not an inquiry hearing where a business owner is brought forward to bring witnesses. In his opinion the Select Board's suggested stipulation is not a restrictive condition but more of a good practice rule.

After further debate,

John French made a motion to approve the liquor license application and special amusement permit application for Zachary Cohn and Seth Cohn, d/b/a Smokestack Grill at 43 Mechanic Street with the stipulation that all employees have the state alcohol server training within 6 months with Police Chief approval. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

John French made a motion to approve the application of Michael Salmon and Mary Jo Brink, d/b/a Hartstone Inn at 41 Elm Street for a Class I Hotel Liquor License. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 14. Countersignature of the annual meeting warrants for the Five Town Community School District Budget Referendum and the Maine School Administrative District #28 Budget Referendum.** No discussion.

John French made a motion to countersign the school annual meeting warrants. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

- 15. Designation of the Registrar of Voters' office hours for the upcoming June 8-9, 2010 Annual Town Meeting.**

John French made a motion to set the Registrar of Voters' office hours for the upcoming June 8-9, 2010 Annual Town Meeting as the regular Town Office business hours, as outlined in the Clerk's memo. Deborah Dodge seconded this motion. The motion passed on a 5-0-0 vote.

- 16. Confirmation of the Town Clerk's appointment of Election Warden for the June 8-9, 2010 elections.**

John French made a motion to confirm the appointment of Peter Gross as Election Warden for the June 8 & 9, 2010 elections. Anita Brosius-Scott seconded this motion. The motion passed on a 5-0-0 vote.

- 17. Prioritization of Select Board's 2010 Goals.** The Board reviewed the summary that the Town Manager prepared from the Select Board's previous discussion on town challenges and goals. The Board felt all the goals should be prioritized as #1 on the town's 2010 work plan.

Deborah Dodge made a motion to adopt the summary of the Select Board's 2010 Goals as presented. John French seconded this motion. The motion passed on a 5-0-0 vote.

18. Committee Reports

Energy Committee: Morgan Laidlaw reported the committee talked more about the PACE program. They also talked about the George Baker presentation regarding the Wind project which is slated for the June 1st Energy Committee meeting.

CEDAC: Morgan Laidlaw reported last week the CEDAC members went to the REDAC (Rockland Economic Development Committee). It was amazing to see how similar both committees' efforts are. He also just heard that Rockland was just approved for a \$600,000 grant and they have received \$4.6 million over the past 11 years since hiring a Development Director. If Camden voters approve a Development Director in June we could have this same opportunity.

Cemetery Association: Deb Dodge reported they are starting to work on having some entrances made to Oak Hill North Annex. Due to budget constraints they are doing one entrance at a time. They also spent some time talking about the Mt. View Cemetery fence and are looking for advice from anyone who has any idea how to fix the conditions of the Mt. View Cemetery fence.

Planning Board: Deb Dodge reported they are discussing proposed changes to the Comprehensive Plan in order to come in line with Gateway 1. The first group of proposed changes relates to transportation, mobility and safety and they reviewed those and made some suggested changes. They also discussed the rest of the areas in the Comp Plan.

Opera House Committee: Karen Grove reported they are still looking for a Select Board liaison. Deb Dodge volunteered to be the new liaison for the Opera House Committee.

Board member Brosius-Scott wanted to ask about the joint meeting with the Energy Committee, CEDAC, and the Select Board regarding the PACE program. The Energy Committee wanted to wait until Efficiency Maine has more pieces in place regarding PACE. After some discussion, the Select Board thought it might be a little premature to hold a meeting without a model ordinance or any detail to review. It was decided it would not be a good use of time for the town to write an ordinance when Maine Efficiency is still working on a model ordinance.

- 19. Manager's Report:** Manager Smith did not have anything to report.

- 20. At 9:45 pm John French made a motion to adjourn the Select Board meeting and to enter into executive session to discuss the collective bargaining agreement 1 MRSA Section 405 (6)D. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.**

At 10:30 pm the Board came out of Executive Session.

At 10:31 pm John French made a motion to adjourn. Morgan Laidlaw seconded this motion. The motion passed on a 5-0-0 vote.

Respectfully submitted,

Janice L. Esancy
Recording Secretary